

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

HERBERT JOHN BROWN,	}	Case No. SACV 11-1243 DOC(JC)
Petitioner,		
v.		
S. KEBLIS, et al.,		ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS OF UNITED STATES MAGISTRATE JUDGE
Respondents.		

Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition for Writ of Habeas Corpus by a Person in State Custody (the “Petition”), the Motion to Dismiss the Petition (“Motion to Dismiss”), and all of the records herein, including the attached Report and Recommendation of United States Magistrate Judge (“Report and Recommendation”). The Court approves and accepts the Report and Recommendation.

IT IS ORDERED that, as the Petition is “mixed,” and as petitioner has not amended the Petition to delete his unexhausted claims – claims 1, 2b, 3 and 4 as enumerated in the Report and Recommendation – or otherwise notified the Court that he has abandoned/voluntarily dismissed such claims by the deadline to file objections to the Report and Recommendation, the Motion to Dismiss is granted, the Petition is dismissed and Judgment is to be entered accordingly.

1 IT IS FURTHER ORDERED that the Clerk serve copies of this Order, the
2 Judgment and the Report and Recommendation on petitioner and on counsel for
3 respondents.

4 IT IS SO ORDERED.

5 DATED: December 16, 2011

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8 HONORABLE DAVID O. CARTER
9 UNITED STATES DISTRICT JUDGE
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